

REMARKS

Applicant wishes to thank the examiner for indicating allowable subject matter of claims 20 and 24.

According to the Office Action, claims 3 – 7, 9 – 13, 15, 16 and 25 – 27 are under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 – 16 of U.S. Patent No. 6,661,811 (hereinafter '811 patent). The '811 patent is commonly owned with the present application.

In response, in order to conclude the prosecution of the application and without conceding any statements or waiving any arguments in the Office Action, a terminal disclaimer is submitted in compliance with 37 CFR 1.321(c), thereby obviating the above-mentioned double-patenting rejection.

Further according to the Office Action, claims 17 – 19 and 21 – 23 are rejected under 35 USC 103(a) as being unpatentable over US Patent 6,175,604 (Noro) in view of US Patent 6,680,944 (Lym).

To expedite the prosecution of the application and without conceding any statements or waiving any arguments in the Office Action, Applicant's claims are amended as follows:

Claim 3 is canceled without prejudice. The allowable subject matter of claim 3 is incorporated into independent claim 1, thereby making claim 1 and dependent claims 2 and 4 – 6 allowable.

Claim 18 – 20 and 22 – 24 are canceled without prejudice. The allowable subject matter of claims 20 and 24 is incorporated into independent claim 17 and 21 respectively, thereby making claims 17 and 21 allowable.

It is respectfully submitted that the rejection of claims 3 – 7, 9 – 13, 15 – 19, 21 – 23 and 25 – 27 has been overcome. Hence, withdrawal of the rejection and allowance of the claims are respectfully requested.

An earnest effort has been made to be fully responsive to the examiner's correspondence and advance the prosecution of this case. In view of the above amendments and remarks, it is believed that the present application is in condition for allowance, and an early notice thereof is earnestly solicited.

Please charge any additional fees associated with this application to Deposit Account No. 14-1270.

Respectfully submitted,

/Brian S. Myers/

By: Brian Myers
Registration No.: 46,947

For: Larry Liberchuk
Registration No.: 40,352

Mail all correspondence to:

Larry Liberchuk, Registration No. 40,352
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001